

OVERVIEW

When a youth has an open foster care case and the youth has been referred or committed to the Michigan Department of Health and Human Services (MDHHS) for delinquency placement and supervision, all reporting and case work policy requirements for the foster care program and juvenile justice program must be followed.

LEGAL STATUS

Dual wards include the following legal statuses; see [FOM 901-6, Legal Status](#):

- Legal Status 52 - Dual Wardship.
- Legal Status 90 - Delinquent Court Ward and Temporary Court Ward.
- Legal Status 91 - Delinquent Court Ward and Permanent Court Ward.
- Legal Status 92 - State Ward Delinquent Act 150 and Temporary Court Ward.
- Legal Status 93 - State Ward Delinquent Act 150 and Permanent Court Ward.
- Legal Status 94 - Delinquent Court Ward and State Ward.

CASEWORKER RESPONSIBILITIES

When a youth has an open foster care case **and** the youth has been referred or committed to MDHHS for delinquency placement and supervision, **all reporting and case work policy requirements for the foster care program and juvenile justice program apply.**

One Assigned Caseworker

If one caseworker is assigned to the case, the caseworker must complete all case management responsibilities for both programs. The caseworker must also meet training and qualification requirements for both programs prior to being dually assigned; see [SRM 103, Staff Training and Qualifications](#).

If a policy requirement exists for both programs, the caseworker must follow the more restrictive policy.

Example: [JJM 270, Juvenile Justice Specialist Contact Requirements](#), requires the juvenile justice specialist to have weekly face-to-face contact with a youth placed in detention or jail, a reception or assessment center, or a psychiatric facility. [FOM 722-06H, Caseworker Contacts](#), requires the foster care caseworker to have at least two face-to-face contacts per month with a child in the first two months following an initial placement or placement change and one face-to-face contact with the child in the placement each month thereafter. Since the juvenile justice policy is more restrictive than the foster care policy, the caseworker must follow the juvenile justice policy.

Two Assigned Caseworkers

If both a foster care worker and juvenile justice specialist are assigned to the case, staff must coordinate service provision and visitation to ensure compliance with their respective program policies and prevent service duplication. If a policy requirement exists for both programs, the assigned staff must coordinate to ensure compliance with the more restrictive policy without unnecessary duplication of services.

Juvenile Delinquency Petition Filed on Abuse/Neglect Ward

The foster care caseworker must complete the following within five business days of receiving notice that a delinquency petition has been filed against a youth on their caseload:

- Notify their supervisor.
- Contact the court or petitioner to obtain further information on the youth's appointed attorney, delinquency offense, petitioner's recommendations to the court, and the date of the next delinquency hearing.
- Contact the youth in their current placement. If the youth is in detention or jail, see:

- [FOM 722-03, Placement Selection and Standards](#), *Placement Limitations* section.
- [FOM 903-02, Payment for Detention Care](#).
- [FOM 903-07, Temporary Break/Bed Hold Payments](#), *AWOLP/Detention/Jail* section.
- Obtain a copy of the delinquency petition and ensure the petition is maintained in the case record as directed in [FOM 722-05, Case Documentation](#).
- Meet with the assigned juvenile justice specialist to coordinate case service plans, visitation requirements, and service provision.

**Abuse/Neglect
Petition Filed on
Juvenile
Delinquent Ward**

The juvenile justice specialist must complete the following within five business days of receiving notice that an abuse/neglect petition has been filed regarding a youth on their caseload:

- Notify their supervisor.
- Contact the court or petitioner, and CPS or foster care caseworker, if assigned, to obtain further information on the youth's lawyer-guardian ad litem, allegation of neglect and/or abuse, petitioner's recommendations to the court, and the date of the next abuse/neglect hearing.
- Contact the youth in their current placement.
- Obtain a copy of the abuse/neglect petition and file in the legal section of the youth's case record.
- Complete the steps outlined in [FOM 722-01, Entry Into Foster Care](#).
- Meet with the assigned CPS and/or foster care caseworker(s) to coordinate case service plans, visitation requirements, and service provision.

**Foster Care
Worker
Responsibilities**

Once a youth is determined to be a dual ward, the assigned foster care caseworker must:

- Ensure the foster care case record contains all documentation for the youth for both foster care and juvenile justice programs, including court orders for the abuse/neglect and delinquency proceedings; see [FOM 722-05, Case Documentation](#).
- Document relevant juvenile justice case information in the foster care case service plan and other reports, including charges and adjudications, services provided through the delinquency case, and the youth's preparedness for discharge from jurisdiction.
- Attend all delinquency proceedings and provide the court with reports as requested.
- Coordinate services for the youth and family with other professionals involved, including those providing services through the delinquency case.

**Juvenile Justice
Specialist
Responsibilities**

Once a youth is determined to be a dual ward, the assigned juvenile justice specialist must:

- Ensure the delinquency case record contains all documentation for the youth for both foster care and juvenile justice programs, including court orders for the abuse/neglect and delinquency proceedings; see [JJM 255, Case Record Requirements](#).
- Document relevant foster care case information in the juvenile justice case service plan and other reports, including the youth's permanency planning goal, services provided through the abuse/neglect case, and progress and barriers to permanency.
- Attend all abuse/neglect proceedings and provide the court with reports as requested.

- Coordinate services for the youth and family with other professionals involved, including those providing services through the abuse/neglect case.

SUPERVISOR RESPONSIBILITIES

When a supervisor receives notice that a youth has or may become a dual ward due to the filing or adjudication of a juvenile delinquency or abuse/neglect petition, the supervisor must review case documentation for both programs regularly and discuss cross-program coordination with the caseworker during supervision.

PAYMENTS

Payments for dual wards are determined by the child's legal status and placement; see [FOM 901-9, Payment Source Guide](#).

SSI BENEFITS DETERMINATION

Dual wards may be eligible for Supplemental Security Income (SSI); see [FOM 902-12, Government and Other Benefits](#).

YOUTH IN TRANSITION (YIT) ELIGIBILITY

Dual wards may be eligible for Youth in Transition funds; see [FOM 950, The Youth in Transition \(YIT\) Program](#).

EDUCATION AND TRAINING VOUCHER (ETV) ELIGIBILITY

Dual wards may be eligible for Education and Training Vouchers; see [FOM 960, Education and Training Voucher \(ETV\) Program](#).

YOUNG ADULT VOLUNTARY FOSTER CARE (YAVFC) ELIGIBILITY

Dual wards may be eligible for Young Adult Voluntary Foster Care; see [FOM 722-16, Young Adult Voluntary Foster Care](#), and [FOM 902-21, Young Adult Voluntary Foster Care \(YAVFC\) Funding and Payments](#).

**HOMELESS
YOUTH/RUNAWAY
(HYR) PROGRAM**

Dual wards may be eligible for the Homeless Youth/Runaway program; see [FOM 722-03C, Older Youth: Preparation, Placement, and Discharge](#).

POLICY CONTACT

Questions about this policy item should be emailed to the [Child Welfare Policy Mailbox](#).